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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
CHRISTINA AVILA-SOTO,)
)
Defendant.)

No. CR 09-0580 JW (HRL)

STIPULATION AND ~~PROPOSED~~
ORDER EXCLUDING TIME FROM
SPEEDY TRIAL ACT CALCULATION
(18 U.S.C. § 3161(h)(7)(A))

With the agreement of the parties in open court, and with the consent of defendant Christina Avila-Soto, the Court enters this order documenting exclusion of time from March 28, 2011 through April 18, 2011 under the Speedy Trial Act, 18 U.S.C. § 3161(c)(1). The parties agree, and the Court finds and holds, as follows:

1. Defendant was indicted on June 3, 2009. On May 5, 2010, this case was reassigned to the Executive Committee pursuant to General Order 44E.5 (Reassignment of Fugitive Criminal Cases). On March 28, 2011, defendant made her first appearance in this District on this case and was arraigned on the indictment. On March 28, 2011, this case was assigned to Chief Judge Ware.

2. At the appearance on March 28, 2011, the parties requested that the defendant

STA Stipulation
09-00580 JW (HRL)

FILED

MAR 29 2011

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

1 make her initial appearance in District Court on April 18, 2011.

2 3. Defendant agreed to an exclusion of time under the Speedy Trial Act. Failure to
3 grant the requested continuance would unreasonably deny defendant continuity of counsel and
4 reasonable time necessary for effective preparation, taking into account the exercise of due
5 diligence, in this case. The Court found that the ends of justice served by excluding the period
6 from March 28, 2011 through April 18, 2011 from Speedy Trial Act calculations outweigh the
7 best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) &
8 (B)(iv).

9 4. Accordingly, and with the consent of the defendant at the appearance on March
10 28, 2011, the Court ordered that the period from March 28, 2011 through April 18, 2011 be
11 excluded from Speedy Trial Act calculations. *Id.*

12
13 IT IS SO STIPULATED.

14
15 DATED: March 28, 2011

16 /s/
VARELL FULLER
Attorney for Defendant

17
18 DATED: March 28, 2011

19 /s/
ALLISON MARSTON DANNER
Assistant United States Attorney

20
21 IT IS SO ORDERED.

22
23 DATED: 3/29/11

24 
HOWARD R. LLOYD
United States Magistrate Judge